

JS 45 (01/2008)

Criminal Case Cover Sheet (REDACTED)**U.S. District Court**

Place of Offense: _____ **Under Seal:** Yes ☒ No _____ **Judge Assigned:** O'Grady
City Ashburn, Virginia **Superseding Indictment** _____ **Criminal Number:** 1:12 CR 3
County/Parish Loudoun County **Same Defendant** _____ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** KIM DOTCOM **Alias Name(s)** KIM SCHMITZ; KIM TIM JIM VESTOR**Address:** Auckland, New Zealand**Employment:** N/A**Birth date** xx/xx/1974 **SS#** N/A **Sex** M **Def Race** White **Nationality** Finland & Germany **Place of Birth** Kiel, Germany**Height** 6'4" - 6'6" **Weight** 322 **Hair** Blonde **Eyes** Brown **Scars/Tattoos** _____**Interpreter:** ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:**

Arrest Date _____
☐ Already in Federal Custody as of _____ in _____
☐ Already in State Custody ☐ On Pretrial Release ☒ Not in Custody
☒ Arrest Warrant Requested ☐ Fugitive ☐ Summons Requested
☐ Arrest Warrant Pending ☒ Detention Sought ☐ Bond _____

Defense Counsel Information:

Name: _____ **Court Appointed** _____ **Counsel conflicted out:** _____
Address: _____ **Retained** _____
Telephone: _____ **Public Defender** _____ **Federal Public Defender's Office conflicted out:** _____

U.S. Attorney Information:**AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** _____**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

	Code/Section	Description of Offense Charged	Count(s)	Capital/Felony/Misd/Petty
Set 1	18 U.S.C. § 1962(d)	Conspiracy to commit racketeering	1	Felony
Set 2	18 U.S.C. § 1956(h)	Conspiracy to commit money laundering	3	Felony
Set 3	18 U.S.C. § 371	Conspiracy to commit copyright infringement	2	Felony
Set 4	17 U.S.C. § 506 and 18 U.S.C. § 2319	Criminal copyright infringement	4+5	Felony

(May be continued on reverse)

Date: 1/1/12 **Signature of AUSA:** _____

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Criminal Case Cover Sheet (REDACTED)**U.S. District Court**

Place of Offense: Under Seal: Yes ☒ No ☐ Judge Assigned: O'Grady
 City Ashburn, Virginia Superseding Indictment ☐ Criminal Number: 1:12CR3
 County/Parish Loudoun County Same Defendant ☐ New Defendant ☒
 Magistrate Judge Case Number _____ Arraignment Date: _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____
 Related Case Name and No: _____

Defendant Information:Juvenile -- Yes ☐ No ☒ FBI # N/ADefendant Name: MEGAUPLOAD LIMITED Alias Name(s) _____Address: Wanchai, Hong KongEmployment: N/ABirth date N/A SS# N/A Sex Def Race N/A Nationality N/A Place of Birth N/AHeight N/A Weight Hair N/A Eyes N/A Scars/Tattoos N/AInterpreter: ☐ No ☐ Yes List language and/or dialect: N/A Automobile Description N/A**Location Status:**Arrest Date N/A☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody ☐ On Pretrial Release ☐ Not in Custody☐ Arrest Warrant Requested ☐ Fugitive ☐ Summons Requested☐ Arrest Warrant Pending ☐ Detention Sought ☐ Bond _____**Defense Counsel Information:**

Name: _____ Court Appointed _____ Counsel conflicted out: _____

Address: _____ Retained _____

Telephone: _____ Public Defender _____ Federal Public Defender's Office conflicted out: _____

U.S. Attorney Information:AUSA Jay V. Prabhu Telephone No: (703) 299-3700 Bar # _____**Complainant Agency, Address & Phone Number or Person & Title:**

Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent

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Set 3	<u>18 U.S.C. § 371</u>	<u>Conspiracy to commit copyright infringement</u>	<u>2</u>	<u>Felony</u>
Set 4	<u>17 U.S.C. § 506 and 18 U.S.C. § 2319</u>	<u>Criminal copyright infringement</u>	<u>4 + 5</u>	<u>Felony</u>

(May be continued on reverse)

Date: 1/3/12 Signature of AUSA: 

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Place of Offense: Under Seal: Yes ☒ No ☐ **Judge Assigned:** O'Grady
City Ashburn, Virginia **Superseding Indictment** **Criminal Number:** 1:12CR3
County/Parish Loudoun County **Same Defendant** **New Defendant** X
Magistrate Judge Case Number **Arraignment Date:**
Search Warrant Case Number
R 20/R 40 from District of
Related Case Name and No:

Defendant Information:**Juvenile --Yes ☐ No ☒ FBI #** N/A**Defendant Name:** VESTOR LIMITED **Alias Name(s)** **Address:** Wanchai, Hong Kong**Employment:** N/A**Birth date** N/A **SS#** N/A **Sex** **Def Race** N/A **Nationality** N/A **Place of Birth** N/A**Height** N/A **Weight** **Hair** N/A **Eyes** N/A **Scars/Tattoos** N/A**Interpreter:** No Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** N/A **Already in Federal Custody as of** **in** **Already in State Custody** **On Pretrial Release** **Not in Custody** **Arrest Warrant Requested** **Fugitive** **Summons Requested** **Arrest Warrant Pending** **Detention Sought** **Bond** **Defense Counsel Information:****Name:** **Court Appointed** **Counsel conflicted out:** **Address:** **Retained** **Telephone:** **Public Defender** **Federal Public Defender's Office conflicted out:** **U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** **Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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(May be continued on reverse)

Date: 1/3/12 **Signature of AUSA:** 

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City Ashburn, Virginia **Superseding Indictment** _____ **Criminal Number:** 1:12 CR 3
County/Parish Loudoun County **Same Defendant** _____ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** FINN HABIB BATATO **Alias Name(s)** _____**Address:** Munich, Germany**Employment:** N/A**Birth date** xx/xx/1973 **SS#** N/A **Sex** M **Def Race** White **Nationality** Germany **Place of Birth** Frankfurt, Germany**Height** _____ **Weight** _____ **Hair** _____ **Eyes** _____ **Scars/Tattoos** _____**Interpreter:** ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** _____☐ **Already in Federal Custody as of** _____ **in** _____☐ **Already in State Custody** ☐ **On Pretrial Release** ☒ **Not in Custody**☒ **Arrest Warrant Requested** ☐ **Fugitive** ☐ **Summons Requested**☐ **Arrest Warrant Pending** ☒ **Detention Sought** ☐ **Bond** _____**Defense Counsel Information:****Name:** _____ **Court Appointed** _____ **Counsel conflicted out:** _____**Address:** _____ **Retained** _____**Telephone:** _____ **Public Defender** _____ **Federal Public Defender's Office conflicted out:** _____**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** _____**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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(May be continued on reverse)

Date: 1/1/12 **Signature of AUSA:** _____

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Place of Offense: _____ **Under Seal:** Yes ☐ No ☒ **Judge Assigned:** O'Grady
City Ashburn, Virginia **Superseding Indictment** _____ **Criminal Number:** 1:12 CR 3
County/Parish Loudoun County **Same Defendant** _____ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile --** Yes ☐ No ☒ **FBI #** N/A

Defendant Name: JULIUS BENCKO **Alias Name(s)** _____
Address: Slovakia
Employment: N/A

Birth date xx/xx/1976 **SS#** N/A **Sex** M **Def Race** White **Nationality** Slovakia **Place of Birth** Rožnava, Slovakia
Height _____ **Weight** _____ **Hair** Brown **Eyes** _____ **Scars/Tattoos** _____
Interpreter: ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A

Location Status:

Arrest Date _____
☐ Already in Federal Custody as of _____ in _____
☐ Already in State Custody ☐ On Pretrial Release ☒ Not in Custody
☒ Arrest Warrant Requested ☐ Fugitive ☐ Summons Requested
☐ Arrest Warrant Pending ☒ Detention Sought ☐ Bond _____

Defense Counsel Information:

Name: _____ **Court Appointed** _____ **Counsel conflicted out:** _____
Address: _____ **Retained** _____
Telephone: _____ **Public Defender** _____ **Federal Public Defender's Office conflicted out:** _____

U.S. Attorney Information:**AUSA** Jay V. Prabh **Telephone No:** (703) 299-3700 **Bar #** _____**Complainant Agency, Address & Phone Number or Person & Title:**

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Set 4	17 U.S.C. § 506 and 18 U.S.C. § 2319	Criminal copyright infringement	4+5	Felony

(May be continued on reverse)

Date: 1/1/12 **Signature of AUSA:** 

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Criminal Case Cover Sheet (REDACTED)**U.S. District Court**

Place of Offense: Under Seal: Yes ☒ No ☐ Judge Assigned: O'Grady
 City Ashburn, Virginia Superseding Indictment ☐ Criminal Number: 1:12 CR 3
 Loudoun
 County/Parish County Same Defendant ☐ New Defendant ☒
 Magistrate Judge Case Number _____ Arraignment Date: _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____
 Related Case Name and No: _____

Defendant Information:Juvenile -- Yes ☐ No ☒ FBI # N/ADefendant Name: SVEN ECHTERNACH Alias Name(s) SVEN HENDRIK MICHAEL THIES ECHTERNACHAddress: Frankfurt am Main, GermanyEmployment: N/A

Birth date xx/xx/1972 SS# N/A Sex M Def Race White Nationality Germany Place of Birth Kassel, Germany
 Height 6' Weight _____ Hair Brown Eyes _____ Scars/Tattoos _____

Interpreter: ☒ No ☐ Yes List language and/or dialect: N/A Automobile Description N/A
Location Status:

Arrest Date _____

____ Already in Federal Custody as of _____ in _____

____ Already in State Custody ____ On Pretrial Release ☒ Not in Custody☒ Arrest Warrant Requested ____ Fugitive ____ Summons Requested____ Arrest Warrant Pending ☒ Detention Sought ____ Bond _____**Defense Counsel Information:**

Name: _____ Court Appointed Counsel conflicted out: _____

Address: _____ Retained _____

Telephone: _____ Public Defender Federal Public Defender's Office conflicted out: _____


U.S. Attorney Information:AUSA Jay V. Prabhu Telephone No: (703) 299-3700 Bar # _____**Complainant Agency, Address & Phone Number or Person & Title:**

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(May be continued on reverse)

Date: 1/1/12 Signature of AUSA: 

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Place of Offense: _____ **Under Seal:** Yes ☒ No _____ **Judge Assigned:** O'Grady
City Ashburn, Virginia **Superseding Indictment** _____ **Criminal Number:** 1:12 CR 3
County/Parish Loudoun County **Same Defendant** _____ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** MATHIAS ORTMANN **Alias Name(s)** _____**Address:** Wan Chai, Hong Kong**Employment:** N/A

Birth date xx/xx/1971 **SS#** N/A **Sex** M **Def Race** White **Nationality** Germany **Place of Birth** Munich, Germany

Height _____ **Weight** _____ **Hair** Brown **Eyes** _____ **Scars/Tattoos** _____**Interpreter:** ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:**

Arrest Date _____
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Defense Counsel Information:

Name: _____ **Court Appointed** _____ **Counsel conflicted out:** _____
Address: _____ **Retained** _____
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U.S. Attorney Information:**AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** _____**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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(May be continued on reverse)

Date: 1/1/12 **Signature of AUSA:** 

JS 45 (01/2008)

Criminal Case Cover Sheet (REDACTED)**U.S. District Court**

Place of Offense: _____ **Under Seal:** Yes ☒ No ☐ **Judge Assigned:** O'Grady
City Ashburn, Virginia **Superseding Indictment** _____ **Criminal Number:** 1:12CR30
County/Parish Loudoun County **Same Defendant** _____ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile** -- Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** ANDRUS NOMM **Alias Name(s)** _____**Address:** Estonia**Employment:** N/A**Birth date** xx/xx/1979 **SS#** N/A **Sex** M **Def Race** White **Nationality** Estonia **Place of Birth** Estonia**Height** 6'1" **Weight** _____ **Hair** Blonde **Eyes** _____ **Scars/Tattoos** _____**Interpreter:** ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** _____☐ **Already in Federal Custody as of** _____ **in** _____☐ **Already in State Custody** ☐ **On Pretrial Release** ☒ **Not in Custody**☒ **Arrest Warrant Requested** ☐ **Fugitive** ☐ **Summons Requested**☐ **Arrest Warrant Pending** ☒ **Detention Sought** ☐ **Bond** _____**Defense Counsel Information:****Name:** _____ **Court Appointed** _____ **Counsel conflicted out:** _____**Address:** _____ **Retained** _____**Telephone:** _____ **Public Defender** _____ **Federal Public Defender's Office conflicted out:** _____**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** _____**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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Date: 1/1/12 **Signature of AUSA:** 

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Criminal Case Cover Sheet (REDACTED)**U.S. District Court**

Place of Offense: Ashburn, Virginia **Under Seal:** Yes ☒ No ☐ **Judge Assigned:** O'Grady
City Loudoun **Superseding Indictment** ☐ **Criminal Number:** 1:12 CR 3
County/Parish County **Same Defendant** ☐ **New Defendant** ☒
Magistrate Judge Case Number _____ **Arraignment Date:** _____
Search Warrant Case Number _____
R 20/R 40 from District of _____
Related Case Name and No: _____

Defendant Information:**Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** BRAM VAN DER KOLK **Alias Name(s)** BRAMOS**Address:** Auckland, New Zealand**Employment:** N/A

Birth date xx/xx/1982 **SS#** N/A **Sex** M **Def Race** White **Nationality** Dutch **Place of Birth** Zwolle, Netherlands
Height 5'10" **Weight** _____ **Hair** Brown **Eyes** _____ **Scars/Tattoos** _____
Interpreter: ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A

Location Status:**Arrest Date** _____

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☐ **Already in State Custody** ☐ **On Pretrial Release** ☒ **Not in Custody**
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Name: _____ **Court Appointed** ☐ **Counsel conflicted out:** _____
Address: _____ **Retained** ☐ _____
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(May be continued on reverse)

Date: 1/1/12 **Signature of AUSA:** 